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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ARNOLD ABRERA,

Plaintiff,

v.

GAVIN NEWSOM, in his official capacity  
as Governor of the State of California; ROB  
BONTA, in his official capacity as Attorney  
General of the State of California; ANNE  
MARIE SCHUBERT, in her official  
capacity as County of Sacramento District  
Attorney; COUNTY OF SACRAMENTO;  
BOBBY DAVIS, in his official capacity as  
Chief of the Elk Grove Police Department;  
JONATHAN P. HOBBS, in his official  
capacity as the City Attorney for the City of  
Elk Grove; CITY OF ELK GROVE;

Defendants.

No. 2:22-cv-1162-JAM-DB

**PLAINTIFF'S OPPOSITION  
DEFENDANTS BOBBY DAVIS',  
JONATHAN P. HOBBS' AND CITY  
OF ELK GROVE'S JOINDER IN  
DEFENDANTS' COUNTY OF  
SACRAMENTO AND ANNE MARIE  
SCHUBERT'S MOTION TO  
DISMISS PLAINTIFF'S FIRST  
AMENDED COMPLAINT**

**Date:** January 9, 2024

**Time:** 1:30 p.m.

**Courtroom:** 6

**Judge:** The Honorable John A. Mendez

**Location:** Courtroom 27, 8th floor  
501 I Street  
Sacramento, CA

**Complaint Filed:** 7/5/2022

**First Amended Complaint Filed:** 9/2/2022

**Trial Date:** None Set

**PLAINTIFF OPPOSITION TO ELK GROVE DEFENDANTS' JOINDER  
TO COUNTY OF SACRAMENTO CO-DEFENDANTS MOTION TO  
DISMISS**

Since "... the Elk Grove Defendants adopt all arguments, facts, and points and authorities submitted by County of Sacramento Defendants as though the Elk Grove Defendants had set forth all such matters in full", Plaintiff hereby incorporates his complete opposition to County of Sacramento Defendants motion to dismiss as though the Plaintiff had set forth all such matters in full in this opposition.

For clarification purposes, Elk Grove defendants have filed a Petition for Judicial Determination Re: Return of Firearms captioned *City of Elk Grove vs. Euginie Abrera*, Sacramento Superior Court case number 34-2021-20000745 (RJN # 3; FAC ¶s 83-86). Plaintiff is not a named party, and a Court Docket search for the mentioned case reveals: "No Results Found" (RJN # 6).

The Petition does involve all six of Plaintiff's firearms, including his two AR-15s.

Therefore, both the County of Sacramento Defendants and Elk Grove Defendants are asserting jurisdiction over the two AR-15s in purely civil matterS.

What is not addressed is why Plaintiff's handguns have not been returned to him as he was not the subject of a § 5150 hold.

The protected "arms" legally purchased in California and seized from Plaintiff's home by the Elk Grove defendants are as follows: One (1) Glock, Inc., Model 17, 9mm Cal., Serial No. BBDW312; One (1) Sig Sauer Model SP2022, .40 Cal., Serial No. 24B245366; One (1) Sig Sauer Model SP2022, 9mm Cal., Serial No. 24B245997; One (1) Sturm, Ruger & Co., Model LC380CA, .380 Cal., Serial No. 32653888; One (1) Del-Ton Inc., Model DTI 15, 5.56 Cal., Serial No. B6215; and, One (1) Roggio Arsenal, Model RA L5, Multi-Caliber, Serial No. RA09011623.

**CONCLUSION**

The motion should be denied. If any part of the motion is granted, Plaintiff requests leave of court to file an amended and supplemental pleading include the facts presented in the Request for Judicial Notice.

DATED: December 12, 2023

Respectfully submitted,  
LAW OFFICES OF GARY W. GORSKI  
/s/ Gary W. Gorski  
GARY W. GORSKI  
Attorney for Plaintiff Arnold Abrera